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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,289	01/22/2002	Yutaka Nakata	045237-0103	4765

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EXAMINER

TSIDULKO, MARK

ART UNIT PAPER NUMBER

2875

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/051,289

**Applicant(s)**

NAKATA, YUTAKA

**Examiner**

Mark Tsidulko

**Art Unit**

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2,4,6,8,10 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,4,6,8,10 and 12-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION*****Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 6, 8, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strobel et al. (U.S. 5,204,820) in view Patent (JP 04197510).

Referring to Claim 2 Strobel et al. disclose (Fig.1) a lamp device for vehicle having a light source [3], a reflector [1] in which a reflection surface is Bézier (or B-spline) surface (Abstract) and the vertical and horizontal cross sections of the reflector have a shape that is part of an oval. Strobel et al. disclose a lens (Fig.1, [2]) having no prism and formed in a recess shape in vertical and horizontal cross sections. Strobel et al. also disclose that a reflected light irradiates to an external section in accordance with a target light distribution pattern (Abstract, lines 3-6).

Strobel et al. disclose the instant claimed inventions except for the oval shape of the reflector being larger than a front and a back surface of the lens.

JP 04197510 (Fig.2) discloses a vehicle headlamp wherein the vertical and horizontal cross sections of the reflector have a shape that is part of an oval larger than a front and a back surface of the lens in order to transmit reflected light to an external section with a desired light distribution..

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Referring to Claim 4 Strobel et al. disclose a reflector [1] in which a reflection surface is Bezier (or B-spline) surface (Abstract).

Referring to Claims 6, 8 Strobel et al. disclose the instant claimed inventions except for a lens having a free curved surface.

JP 04197510 disclose a lens having a free curved surface (Abstract).

Referring to Claims 10, 12 Strobel et al. disclose the instant claimed inventions except for the front and back surfaces of the lens are a free curved surface.

Since the Patent JP 04197510 disclose a lens having a free curved surface (Abstract), it is clearly understood, that both lens surfaces may be provided as free curved.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lamp device of Strobel et al. to include the type of reflector having a shape that is part of an oval larger than a front and a back surface of the lens, as taught by Patent JP 04197510 for the device of Strobel et al. in order to transmit reflected light to an external section with a desired light distribution.

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strobel et al. in view of Patent (JP 04197510), as applied to claims 2, 4, 6, 8, 10 and 12 above, and further in view of Moore (US 3,611,184).

Referring to Claim 13 Strobel et al. disclose the instant claimed inventions except for the front and back surfaces of the lens have recess shape.

Moore teaches (Fig.2) a lens wherein the front and back surfaces have recess shape.

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It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the lamp device of Strobel et al. and include the biconcave lens, as taught by Moore in order to refract the light reflected from the reflector.

Referring to Claims 14 and 15 Strobel et al. disclose the instant claimed invention including a first surface of the lens disposed to the reflector except for the first surface of the lens has a recess shape and a second surface has a convex shape.

Moore teaches(Fig.3) a lens wherein the first surface of the lens has a recess shape and a second surface has a convex shape.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the lamp device of Strobel et al. including the biconcave lens or concave-convex, as taught by Moore for the device of Strobel et al. in order to refract the light reflected from the reflector.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (703)308-1326. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703)872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

M.T.

December 12, 2003



ALAN CARIASO  
PRIMARY EXAMINER